

# NOTICE TO ALL APPLICANTS

Effective February 11, 1997, The New England Division of the U.S. Army Corps of Engineers has issued a programmatic general permit ("PGP") for the review of proposals in coastal and inland waters and wetlands within the State of Rhode Island. It covers work and structures that are located in, or that affect, navigable waters of the United States (regulated by the Corps under Section 10 of the River and harbors Act of 1899), and the discharge of dredges or fill material (including discharges resulting from excavation activities) into the waters of the United States, including wetlands (regulated by the Corps under Section 404 of the Clean Water Act).

This PGP is meant to streamline the permit process for such activities, within certain limits, by eliminating the need to apply to both the Corps *and* to the Department of Environmental Management's Freshwater Wetlands Program. Any Permit thus issued by the R.I. D.E.M. under the PGP will also be your Federal Permit.

Accordingly, to facilitate the review of all agencies involved, certain additional application requirements, as listed below, will apply to you if your project includes fill or excavation activities within the following wetland types as defined by the Rules and Regulations Governing the Administration and Enforcement of the R.I. Freshwater Wetlands Act: Swamp, Marsh, Pond, Bog, River, Stream/Intermittent Stream, Shrub or Forested Wetland, Emergent or Submergent Plant Community, or special Aquatic Site.

1. A total of four (4) copies of site plans, written evaluations, impact avoidance and minimization statements, drainage computations and other such documentation (eight (8) copies if your project fits into "Category II" as defined by the "PGP") must accompany your application;
2. Wetland edges must be identified and flagged using the methodology described and incorporated within the Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, January 1987 as well as the Corp's September 9, 1991 regulatory guidance letter regarding Guidance for the Interpretation of Wetland Boundaries Using the 1987 Corps Manual in the Six New England States.

In all other respects, your application will be processed in accordance with the R.I.D.E.M.'s Rules and Regulations. For further information on the PGP process, or the Definitions of Categories, copies of the PGP are available in this office or can be obtained by contacting the Corps at (800) 343-4789.

RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES/PERMITTING SECTION  
235 Promenade Street, Providence, RI 02908-5767  
Telephone: 401-222-6820, Telecommunication Device for the Deaf: 401-222-6800

**APPLICATION PACKAGE**

To the Applicant:

**THIS APPLICATION PACKAGE IS PROVIDED TO AID YOU IN COMPLETING YOUR FRESHWATER WETLANDS APPLICATION. PLEASE READ THIS ENTIRE PACKAGE PRIOR TO COMPLETING THE APPLICATION.**

This application package contains general information necessary to complete any application submitted to the Department's Freshwater Wetlands Program. The applicant should refer to the Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act for specific requirements and criteria as well as for a detailed explanation of the Department's practices and procedures for individual application types.

Please note that the application form and all supporting documentation must be delivered or mailed **DIRECTLY TO** the Office of Water Resources, 235 Promenade Street, Room 260, Providence, R.I. 02908.

All applications require a fee. Please refer to the general fee requirements and fee schedule enclosed. Make checks payable to General Treasurer of Rhode Island.

Applicants must mail or hand deliver application along with fee to:

**Department of Environmental Management  
Office of Water Resources  
235 Promenade Street, Room 260  
Providence, RI 02908**

**(MUST BE REPRODUCED ON BLUE PAPER)**

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**Office of Water Resources/Permitting Program**

# Application Package

## Table of Contents

<b>Application Instructions - Required Enclosures</b> .....	3
<b><u>All applicants must ensure that</u></b> .....	3
<b><u>Required Enclosures for Individual Application Types</u></b> .....	3
<b><u>Site Plan Requirements</u></b> .....	3
<b><u>Site Work to be Performed by the Applicant</u></b> .....	5
<b>Application Fees</b> .....	6
<b><u>General Fee Requirements</u></b> .....	6

**RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF WATER RESOURCES\PERMITTING PROGRAM**

235 Promenade Street, Providence, RI 02908

Telephone: 401-222-6820, Telecommunication Device for the Deaf: 401-222-6800

**APPLICATION FORM**

**Please type or print**

**AGENCY USE ONLY**  
**Application No.:**

**AGENCY USE ONLY**  
**Application Received:**

**PART A Purpose of Application:**

- ☐ Request to Determine Presence of Wetlands only (see Rule 9.02(B))
- ☐ Request to Verify Delineated Edge of Wetlands (see Rule 9.02)
- ☐ Request for Preliminary Determination (see Rule 9.03)
- ☐ Application to Alter a Freshwater Wetland (see Rule 9.05)
- ☐ Application For Renewal (see Rule 9.07)
- ☐ Application for Permit Transfer (see Rule 9.08)
- ☐ Application For Permit Modification (see Rule 9.09)
- ☐ Change in Owner During Application Processing (see Rule 8.06)

**PART B Applicant Information:**

- Name of Applicant (see Rules 5.06 and 8.02): \_\_\_\_\_  
*Note: The applicant must be the owner of the property or easement which is the subject of this application or must be the government agency or entity with power of condemnation over such property or easement.*
- Mailing Address of Applicant: \_\_\_\_\_  
Street/Road \_\_\_\_\_ P.O. Box \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone No. \_\_\_\_\_
- Location of Property subject to this Application: \_\_\_\_\_  
City/Town \_\_\_\_\_ Street Abutting Site \_\_\_\_\_ Street address number (if applicable) \_\_\_\_\_
- Nearest street intersection and its distance and direction from site \_\_\_\_\_
- Nearest utility pole number(s): \_\_\_\_\_ Direction to site from abutting street: N \_\_\_\_\_ S \_\_\_\_\_ E \_\_\_\_\_ W \_\_\_\_\_
- Tax Assessor's Plat(s) and Lot No. (s): \_\_\_\_\_
- Recorded Plat (s) and Lots No. (s) (if no Tax Assessor Plat and Lots available): \_\_\_\_\_

**PART C General Information:**

- Any previous application for this site? Yes \_\_\_ No \_\_\_ Provide Application No. (s) \_\_\_\_\_
- Any previous enforcement action for this site? Yes \_\_\_ No \_\_\_ Provide File No(s) \_\_\_\_\_
- Amount of wetland area to be altered (if applicable, see Rules 8.03, 8.04):  
square feet: \_\_\_\_\_ linear feet (if watercourse): \_\_\_\_\_
- Amount of fee submitted for Application (see Rules 8.03, 8.04): \$ \_\_\_\_\_ Check No. \_\_\_\_\_

**PART D For Application Renewal Only:**

- Name of Original or Subsequent Permittee: \_\_\_\_\_
- Application/Permit No. \_\_\_\_\_ Permit Expiration Date: \_\_\_\_\_
- Number of previous renewals issued (if applicable): \_\_\_\_\_
- **Statement of Applicant:** I hereby state that I am requesting renewal of the original or subsequently modified permitted project under Application/Permit No. \_\_\_\_\_. I fully understand the permit limitations and will comply with any and all conditions of the permit.
- Applicant's name: (print) \_\_\_\_\_ (signature) \_\_\_\_\_

<b>PART E</b>	<b>For Application For Permit Transfer Only:</b>
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- Name of Original Permittee: \_\_\_\_\_
- Application/Permit No. \_\_\_\_\_ Permit Expiration Date: \_\_\_\_\_  
*Note: A certified copy of the deed of transfer must be enclosed with application.*
- **Statement of Applicant:** I hereby certify that I have reviewed the permit letter issued under Application/Permit No. \_\_\_\_\_ and hereby agree to comply with all conditions of the permit, including any time limitations imposed.
- Applicant's name: (print) \_\_\_\_\_ (signature) \_\_\_\_\_ Date: \_\_\_\_\_  
Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

<b>PART F</b>	<b>For Change in Owner During Application Processing Only:</b>
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- Name of Original Applicant: \_\_\_\_\_ Application No. \_\_\_\_\_  
*Note: A certified copy of the deed of transfer must be enclosed for Applications to Alter only.*

<b>PART G</b>	<b>Certification of Professional(s) (if applicable):</b> <i>Note: Any professional (e.g. engineer, biologist, landscape architect, etc.) who participated in the submission and/or preparation of this Application and supporting documentation must sign below.</i>
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- I hereby certify that I have been authorized by the applicant to prepare documentation to be submitted in support of this Application; that such documentation is in accordance with the *Rules and Regulations Governing the Administration and Enforcement of the Freshwater Wetlands Act*; and that such documentation is true, accurate and complete to the best of my knowledge.

- Name of professional (print): \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ d/b/a: \_\_\_\_\_  
Signature of professional: \_\_\_\_\_ Date: \_\_\_\_\_

**If more than one professional:**

- Name of professional (print): \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ d/b/a: \_\_\_\_\_  
Signature of professional: \_\_\_\_\_ Date: \_\_\_\_\_
- Name of professional (print): \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ d/b/a: \_\_\_\_\_  
Signature of professional: \_\_\_\_\_ Date: \_\_\_\_\_
- Name of professional (print): \_\_\_\_\_ Title: \_\_\_\_\_  
Address: \_\_\_\_\_ d/b/a: \_\_\_\_\_  
Signature of professional: \_\_\_\_\_ Date: \_\_\_\_\_

<b>PART H</b>	<b>Certification of Applicant:</b>
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- I hereby certify that I have requested and authorized the investigation, compilation, and submission of all the information, in whatever form, contained in this Application; that I have personally examined and am familiar with the information submitted herein; and that such information is true, accurate and complete to the best of my knowledge.
  - **See Rule 8.02 regarding Signatories to Applications**

Signature of Applicant: \_\_\_\_\_ Title (if applicable): \_\_\_\_\_

Print Name Signed Above: \_\_\_\_\_ Date: \_\_\_\_\_

# **RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

## **OFFICE OF WATER RESOURCES\PERMITTING PROGRAM**

### **Application Instructions - Required Enclosures**

Note: Incomplete Applications will delay processing

### **All applicants must ensure that:**

- All applicable sections of the application form are completed.
- All necessary signatures are provided on the application form. (See Rule 8.02 for Signatories to Applications)
- The appropriate fee has been submitted for application processing. (See Rule 8.03 and 8.04)
- The application form has been submitted with all supporting documents, studies, reports or additional information where required and applicable.

### **Required Enclosures for Individual Application Types:**

#### **Request to Determine Presence of Wetlands Only (see Rule 9.02)**

- Triplicate (3) site plans of the subject property which clearly indicate the property location and property boundaries.

#### **Request to Verify Delineated Edge of Wetland (see Rule 9.02 (C and E))**

- Triplicate (3) site plans which identify the wetlands and their edge which the applicant wishes the Department to verify on the property.
- Completed wetland delineation forms as provided by the Department.

#### **Request for Preliminary Determination (see Rule 9.03)**

- Triplicate (3) site plans which include the overall project proposed or contemplated.
- Documentation in compliance with impact avoidance and minimization requirements (see Rules 10.01 (A) and (B) and Appendix 3).
- Triplicate (3) copies of any and all documents, studies, reports and information (if any) in support of any project seeking a permit as an insignificant alteration.

#### **Application to Alter a Freshwater Wetland (see Rule 9.05)**

- Triplicate (3) site plans which include the overall project proposed or contemplated. Note: Following initial Department review for completeness, the applicant will be contacted to provide additional full size copies of the site plans and reduced site plans for notice purposes. The actual number of required plans may vary based upon the number of municipalities, abutters, and interested parties involved.
- Proof of ownership in the form of a current certified copy of the deed of the subject property.
- A current list of the property owners whose property lies within two hundred feet (200') of the proposed project (see Rule 5.64 for the definition of proposed project). This list must contain the current mailing address of each property owner and must be accompanied by a radius map drawn to scale of not less than one inch to one hundred feet (1" = 100') showing the properties, lot numbers, and corresponding owners within two hundred feet (200') of the proposed wetland alterations.
- Triplicate (3) copies of all documentation in compliance with the impact avoidance and minimization requirements (see Rules 10.01 (A) and (B) and Appendix 3).
- Triplicate (3) copies of all documentation in compliance with the wetland functions, values and impact evaluation requirements (see Rule 10.03 and Appendix 6).

#### **Application For Renewal (see Rule 9.07)**

- No additional enclosures required.

#### **Application For Permit Transfer (see Rule 9.08)**

- Certified copy of the deed of transfer of the property subject to the permit.

#### **Application For Permit Modification (see Rule 9.09)**

- Triplicate (3) site plans which clearly depict the proposed modification.
- Written narrative and any additional data which describes and details the proposed minor changes and/or modification proposed, and the reasons for the modification.

#### **Change in Owner During Application Processing (see Rule 8.06)**

- Certified copy of the deed of transfer for Application to Alter a Freshwater Wetland only.

### **Site Plan Requirements**

- Site plans for applications must meet the criteria specified in Appendix 5 of the Rules. The Department has reproduced that important information for this application package.

## **APPENDIX 5: SITE PLAN REQUIREMENTS**

- A. The correct number of site plans required by the application package must be provided at the time of submission. If additional plans are required, the applicant will be informed and must submit the required sets of plans.
- B. All site plans must be drawn to scale. The scale of all plans must be no smaller than one inch = one hundred feet, (1" = 100'); however, a larger scale of one inch = forty feet (1" = 40'), for example, is preferred. Where additional detail is required to complete his/her evaluation, the Director may require larger scaled details.
- C. All site plans indicating physical features, distances, contour elevations, property lines, or other information provided as base-line data must clearly note whether such information was obtained by on-site survey, by aerial photogrammetry sources, or by reproduction from other maps and/or plans. Site plan information obtained from aerial photogrammetry sources or by reproduction from other plans and/or maps must provide an estimate of the maximum possible horizontal and/or vertical error between the information provided and the actual on-site conditions. Site plans developed from on-site surveys must clearly note what class or standard the survey meets.
- D. All site plans must be at least 8-1/2" x 11" in size but no larger than 24" x 36".
- E. All site plans depicting projects submitted for review and/or approval must have all markings permanently fixed. Site plans which are pieced together with tape or contain markings of pen, pencil, crayon, markers or other items which can be changed or altered at a later date are not acceptable. Blueline or blackline prints or photocopies of originals are acceptable.
- F. All site plans must contain a title block, original date of the plan and latest revision date of the plan if applicable. The title block must include the name of the person or party involved, the proposed project title if any, the principal street/road abutting the site, the tax assessor's plat and lot number(s), the city or town, the name of the preparer and the scale of the plan.
- G. All site plans must depict at least the following:
  - 1) Street abutting the site with fixed reference points, (e.g., utility poles and numbers, house and number, and any other similar structures);
  - 2) Distance and direction to nearest street intersection;
  - 3) Magnetic North Arrow;
  - 4) Entire property boundary outline and dimension;
  - 5) Insert map showing location of site in the community;
  - 6) Any other fixed referenced points including, but not limited to, stone walls, buildings, fences, edge of fields/woods, trails, access roads, and parking lots; and
  - 7) Scale of plans.
- H. Site plans prepared by a licensed or registered professional must contain the stamp of the professional affixed to each sheet prepared along with the date and the signature of the professional.
- I. All site plans containing more than one (1) sheet must be numbered consecutively.
- J. All site plans must contain a legend which explains all markings and/or symbols.
- K. When verification of wetland edges are requested, or approval or review of a proposed project is being requested, all site plans must accurately reflect the following:
  - 1) The edge of any swamp; marsh; bog; pond; emergent, submergent, shrub, or forested wetland; or any special aquatic site;
  - 2) The edge of any river, stream, intermittent stream, area subject to flooding and/or storm flowage;
  - 3) The edge of any fifty-foot (50') perimeter wetland;
  - 4) The edge of any one hundred foot (100') or two hundred foot (200') riverbank wetland;
  - 5) The edge and elevation of any flood plain and the limit of any floodway; Note: The Department may grant an exception to this requirement when pre-determined 100-year flood elevations are not available from published sources including previous engineering studies, and a registered professional engineer provides clear and convincing documented evidence that the project site is above any probable 100-year flood elevation; and
  - 6) The name of any surface or flowing water body or any other wetland where applicable.

- L. All site plans for proposed projects shall include and depict the following where applicable:
- 1) Where changes to existing grades are proposed, the plan shall show both existing and proposed contour line elevations at maximum intervals of two (2') feet. Where no changes to grades are proposed, include a notation which so indicates;
  - 2) Profiles and/or cross sections drawn to scale;
  - 3) Proposed limits of all vegetative clearing and surface or subsurface disturbance;
  - 4) All temporary and permanent erosion and sediment controls;
  - 5) All temporary and permanent stormwater, flood protection and/or water quality management controls, and all best management practices;
  - 6) All proposed measures to conduct, contain or otherwise control the movements of surface water, groundwater, or stormwater flows; and the ultimate destination of such flows;
  - 7) Any and all construction activities either above or below the earth's surface which may affect any wetland including the height of planned buildings; and
  - 8) Any additional specific requirements contained in the application package checklist for proposed projects must be provided as needed.
- M. Site plans submitted for an Application to Alter must, pursuant to R.I.G.L. Section 2-1-22, bear the stamp and signature of a registered professional engineer.

### **Site Work to be Performed by the Applicant**

The following work must be completed prior to application submission for certain application types where site inspections are required. In many cases, the Department will not be able to complete its site investigation or evaluation without certain information visible on-site. This could either delay the Department's completion of application processing or possibly result in inaccurate assessments. Therefore, in order to facilitate site inspection and investigation, the applicant must perform the following site work where applicable. Note: For subdivisions or large projects, site alterations proposed well away from wetland areas need not be marked. However, activity in and adjacent to wetlands should be clearly identified. The following list represents important items for on-site identification:

- Property boundaries must be identified with labeled markers such as flags or stakes. This is very important when there are no other or very few fixed referenced points available to discern the location and extent of the property in question.
- Boundary of outermost proposed limits of filling, clearing, soil disturbance, excavation or grading must be flagged or staked on site. All flags or stakes must be clearly labeled as to what they represent.
- Ponds, detention/retention basins must be outlined by flagging or staking and clearly labeled.
- Subdivision lots must be clearly numbered or otherwise marked (e.g. signs) on the site.
- Corner locations of proposed structures in or adjacent to freshwater wetlands must be staked and labeled.
- Corner locations of proposed septic systems must be staked and labeled if the site is an individual lot for review. If a subdivision, only those systems on lots which contain freshwater wetlands need be staked and labeled.
- Centerlines of roadways, pipelines, or utility lines must be staked or flagged. Stakes or flagging are to be marked with station numbers that are reflected on site plans submitted with the application. The distance between stakes should be no greater than one hundred feet (100') apart.
- Drainage swale centerlines or proposed relocated river and stream channels must be staked or flagged and labeled.
- All wetland edges that have been flagged or otherwise marked for verification must be clearly labeled.
- Periodic reference points of proposed construction reflected on site plans must be placed on the site for referral



in those areas lacking fixed referenced points such as in dense vegetation.

## **Application Fees (see Rules 8.03 and 8.04)**

### **General Fee Requirements**

- All applicants must pay all required fees at the time of application filing with the Department. The Department will not process an application without the required fee.
- Applicants must determine the fee using the fee schedule (see Rule 8.04). To assist the applicant, the fee schedule has been reproduced for this Application Package.
- All fees must be paid by check or money order made payable to the Rhode Island General Treasurer. Fees in excess of Five Hundred Dollars (\$500.00) must be in the form of a certified bank check.
- Unless specified in the Rules, fees are not refundable.
- State agencies filing applications should first contact DEM's Office of Business Affairs (telephone: 277-6825) to facilitate transfer of monies from their account to DEM's account via an A12-T form.
- Applicants for individually proposed projects consisting of reconstruction or new construction of roads or railways and new (major) utility installation must base their fee on the Estimated Construction Cost ("ECC") of all portions of the project or activity proposed in or above any freshwater wetlands or proposed in areas sloping/draining into on-site or adjacent freshwater wetlands. Documentation regarding the ECC must be prepared by an appraiser, general contractor, engineer, land surveyor, architect, landscape architect or another appropriate qualified professional and submitted with the application.

### **Fee Schedule**

- A. **Request to Determine the Presence of Wetlands** (to determine presence of wetlands only) (See Rule 9.02)  
For this request, "area" means total property acreage of a single lot or multiple lots which border each other:
- 1) Area of less than five (5) acres = \$150.00.
  - 2) Area of five (5) acres up to twenty (20) acres = \$200.00.
  - 3) Area greater than twenty (20) acres up to forty (40) acres = \$250.00.
  - 4) Area greater than forty (40) acres = \$250.00 plus \$50.00 for every additional twenty (20) acres or less.
- B. **Request to Determine the Presence of Wetlands and Verify Location of Wetland Edge** (See Rule 9.02)  
For this request, "area" means total property acreage of a single lot or multiple lots which border each other:
- 1) Area of less than five (5) acres = \$300.00.
  - 2) Area of five (5) acres or greater, and/or linear easements or roads through or along multiple lots = \$300.00, plus \$0.20 for each linear foot of wetland edge to verify.
- C. **Application for Permit Renewal** (See Rule 9.07) = \$200.00.
- D. **Application for Permit Transfer** (See Rule 9.08) = \$50.00.
- E. **Request for Preliminary Determination and Application to Alter Freshwater Wetlands**
- 1) **Developed residential lots:** Projects associated with individual residential lots already developed (e.g., proposed additions, garages, decks, sheds, pools, tennis courts, walls, landscaping activities, alteration or repair of existing ISDSs, new wells, new utility lines, etc.):
    - (a) Prelim. Det. = \$150.00.
    - (b) App. to Alt. = \$300.00.
  - 2) **New residential lots:** New development of individual residential lots (e.g., new construction of single family dwellings and duplexes, including all associated utilities, new ISDSs, garages, sheds, pools, driveways, tennis courts, landscaping activities, wells, etc.):
    - (a) Prelim. Det. = \$300.00, plus \$0.04 per square foot of site alterations in freshwater wetlands.
    - (b) App. to Alt. = \$600.00, plus \$0.08 per square foot of site alterations in freshwater wetlands.
  - 3) **Developed apartments, condominiums, offices, schools, churches and commercial/industrial lots:** Projects associated with apartments, condominiums, office complexes, schools, churches or commercial or industrial sites already developed (e.g., proposed additions, garages, decks, sheds, pools, tennis courts, walls, landscaping activities, parking areas, new wells, new utility lines, repair or alteration of existing ISDSs, etc.):
    - (a) Prelim. Det. = \$300.00.
    - (b) App. to Alt. = \$600.00.
  - 4) **New apartments, condominiums, offices, schools, churches, commercial, industrial lots :** New development, including all associated site amenities, utilities and infrastructure:

- (a) Prelim. Det. = \$600.00, plus \$0.04 per square foot of site alterations in freshwater wetlands.  
 (b) App. to Alt. = \$1,000.00, plus \$0.08 per square foot of site alterations in freshwater wetlands.  
 5) ***New subdivisions, multiple lots:*** New development (e.g., residential, commercial, industrial, etc.), including all associated utilities and infrastructure = total of (a) and (b) below:

(a)	# of Lots	Prelim Det.	App. to Alt.
	up to 5	\$800.00	\$2000.00
	6-15	\$1800.00	\$3000.00
	16-25	\$2600.00	\$3500.00
	26-35	\$3000.00	\$4000.00
	36-45	\$3400.00	\$4500.00
	46-55	\$3800.00	\$5500.00
	56+	\$4200.00	\$7500.00

- (b) Plus, \$0.04 per square foot of site alterations in freshwater wetlands for Preliminary Determinations;  
 \$0.08 per square foot of site alterations in freshwater wetlands for applications to Alter.  
 6) ***Miscellaneous separate proposed projects:***  
 (a) *Driveways and/or gravel access roads* up to one (1) lane in width:  
 (i) Prelim. Det. = \$450.00 plus \$0.50 per linear foot within freshwater wetlands.  
 (ii) App. to Alt. = \$850.00 plus \$1.00 per linear foot within freshwater wetlands.  
 (b) *Surface mining (e.g., gravel, quarry), demolition, park or recreational area development, golf course construction, land clearing and/or grading operations:*  
 (i) Prelim. Det. = \$900.00, plus \$0.04 per square foot of site alterations in freshwater wetlands.  
 (ii) App. to Alt. = \$3,000.00, plus \$0.08 per square foot of site alterations in freshwater wetlands.  
 (c) *Water diversion projects (e.g., irrigation, hydroelectric, industrial processing/cooling, subdrains, wells (other than individual wells for single family house lots), dry hydrants):*

	Prelim. Det.	App. to Alt.
Irrigation, Subdrains	\$300.00	\$1000.00
Indus. Proc., Hydro.	\$1200.00	\$4000.00
Wells	\$600.00	\$1200.00
Dry Hydrants	\$150.00	\$500.00

- (d) *River/stream relocation and/or channelization* (includes areas subject to storm flowage (ASSF))  
 Note: linear foot is based upon length of existing river/stream/ASSF altered:

	Prelim. Det.	App. to Alt.
River, stream	\$10.00/ linear foot	\$50.00/ linear foot
ASSF	\$6.00/ linear foot	\$25.00/ linear foot

- (e) *New or replacement drainage structures/facilities (e.g., storm drainage, culverts, detention basins):*

- (i) Prelim. Det. = \$600.00.
- (ii) App. to Alt. = \$2,000.00.
- (f) *New dam construction*
  - (i) Prelim. Det. = \$600.00.
  - (ii) App. to Alt. = \$2,000.00 plus \$200.00 per acre of impoundment.
- (g) *New pond construction*
  - (i) Prelim. Det. = \$400.00 plus \$100.00 per acre of site alteration.
  - (ii) App. to Alt. = \$800.00 plus \$200.00 per acre of site alteration.
- (h) *Pedestrian/bicycle trails, paths, foot bridges*
  - (i) Prelim. Det. = \$150.00 plus \$0.30 per linear foot within freshwater wetlands.
  - (ii) App. to Alt. = \$500.00 plus \$0.50 per linear foot within freshwater wetlands.
- (i) *Individual docks, floats*
  - (i) Prelim. Det. = \$100.00.
  - (ii) App. to Alt. = \$300.00.
- (j) *Multiple docks, floats (e.g., marinas), or individual boat launches*
  - (i) Prelim. Det. = \$300.00.
  - (ii) App. to Alt. = \$800.00.
- (k) *Miscellaneous new; reconstruction; or modification projects other than those above*
  - (i) Prelim. Det. = \$450.00 plus \$0.04 per square foot of site alterations in freshwater wetlands; or if linear project, \$0.40 per linear foot within freshwater wetlands.
  - (ii) App. to Alt. = \$850.00 plus \$0.08 per square foot of site alterations within freshwater wetlands; or if linear project, \$0.80 per linear foot within freshwater wetlands.

**Fees based on ECC (see Rule 8.03 for explanation of how ECC is computed):**

- (l) *Reconstruction of pre-existing or approved roads or railways, including all associated drainage systems/facilities, bridges and utilities:*  
Prelim. Det. = Proposed projects with an ECC that is:
  - (i) Less than or equal to \$200,000.00 = \$1,000.00.
  - (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$2,000.00.
  - (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$3,000.00.
  - (iv) Greater than \$1,000,000.00 = \$6,000.00.
App. to Alter = Proposed projects with an ECC that is:
  - (i) Less than or equal to \$200,000.00 = \$2,000.00.
  - (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$3,000.00.
  - (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$4,000.00.
  - (iv) Greater than \$1,000,000.00 = \$8,000.00.
- (m) *New road or railway construction, including: all associated drainage systems/facilities, bridges and utilities:*  
Prelim. Det. = Proposed projects with an ECC that is:
  - (i) Less than or equal to \$200,000.00 = \$2,000.00.
  - (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$4,000.00.
  - (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$6,000.00.
  - (iv) Greater than \$1,000,000.00 = \$8,000.00.
App. to Alter = Proposed projects with an ECC that is:

- (i) Less than or equal to \$200,000.00 = \$4,000.00.
- (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$7,000.00.
- (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$10,000.00.
- (iv) Greater than \$1,000,000.00 = \$20,000.00.
- (n) *New utility installation* (i.e., individual major utility projects)  
 Prelim. Det. = Proposed projects with an ECC that is:
  - (i) Less than or equal to \$200,000.00 = \$800.00.
  - (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$1,500.00.
  - (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$2,000.00.
  - (iv) Greater than \$1,000,000.00 = \$4,000.00.
 App. to Alter = Proposed projects with an ECC that is:
  - (i) Less than or equal to \$200,000.00 = \$2,000.00.
  - (ii) Greater than \$200,000.00 but less than \$500,000.00 = \$3,000.00.
  - (iii) Greater than \$500,000.00 but less than \$1,000,000.00 = \$4,000.00.
  - (iv) Greater than \$1,000,000.00 = \$6,000.00.

**F. Application for Permit Modification** (See Rule 9.09)

<u>Project Type</u>	<b>App. for Permit Modification</b>	
	<u>Preliminary Det.</u>	<u>App. to Alter</u>
Indiv. resid. lot	\$100.00	\$200.00
Apartment, condo., office	\$200.00	\$400.00
Indiv. comm./indust. Lot	\$200.00	\$400.00
Subdivision, mult. Lot	\$200.00	\$400.00
Driveways, access road	\$200.00	\$400.00
Road, rail, utilities	\$300.00	\$600.00
Surface mining, etc.	\$200.00	\$400.00
Water diversion	\$200.00	\$400.00
Dry Hydrants	\$ 50.00	\$100.00
Stream reloc.	\$200.00	\$400.00
Drainage	\$200.00	\$400.00
Dams, ponds	\$200.00	\$400.00
Trails, paths	\$ 50.00	\$100.00
Docks	\$ 50.00	\$100.00
Misc. projects	\$200.00	\$400.00

**G. Negotiated Settlements** (See Rule 9.06(D)) = 25% of original application fee.

**H. Application Hearings:**

- 1) Public Hearings = \$2,500.00.
- 2) Adjudicatory Hearings = \$2,000.00; however, in the event that the cost of the hearing exceeds the fee paid, the Department, through the AAD will require an additional fee which the applicant must submit prior to the Department's issuance of any final decision regarding an application. The adjudicatory hearing fee shall accompany the written request for hearing and shall be filed directly with the clerk of the AAD.
- 3) Reimbursement Of Hearing Fees May Be Allowed Provided That:
  - (a) No costs relating to the hearing were incurred by the Department, including the AAD. Where costs were committed or incurred, but do not exceed the initial fee, the Department may provide a partial reimbursement; and
  - (b) All requests for full or partial reimbursement must be in writing and received by the Department within thirty (30) days following the Department's issuance of any final decision regarding an application.

**I. Change in Owner During Application Processing** (See Rule 8.06) = \$50.00.

**Please note that the category you have chosen with regards to your application fee must be indicated on an accompanying cover letter . Your letter must also provide calculations indicating how additional**

**portions of the fee based on area of wetland alteration, or length of wetland edge where applicable, were CACULATED.**

**ATTENTION** to all applicants filing an **APPLICATION TO ALTER A FRESHWATER WETLAND**  
The following checklist has been developed to assist you in providing a complete application adequate for public notice specifically as this relates to Rule 9.05 (B) (1) (g). In order to meet this rule and have the Department find your application complete for public notice purposes, you must ensure that the following information is submitted with your application:

- ☐ Rule 10.01(A) Impact Avoidance. A written report addressing this issue and answering the issues/concerns spelled out in Appendix 3 (A) of the Rules.
- ☐ Rule 10.01(B) Impact Minimization. A written report addressing this issue and answering the issues/concerns spelled out in Appendix 3 (B) of the Rules.
- ☐ Rule 10.03 Written Evaluation - Required Elements. The applicant must provide a written evaluation consistent with Appendix 6 of the Rules. This written evaluation must address the separately identified elements of Rule 10.03 as required in paragraphs (C), (D), (E), (F), (G), and (H). Specifically your evaluation needs to include a section on:
  - ☐ 10.03 (C) Wildlife and Wildlife Habitat
  - ☐ 10.03 (D) Recreation and Aesthetics
  - ☐ 10.03 (E) Flood Protection
  - ☐ 10.03 (F) Groundwater and Surface Water Supplies
  - ☐ 10.03 (G) Water Quality
  - ☐ 10.03 (H) Soil Erosion and Sediment Control

**In some cases for some projects, paragraphs (E), (F), or (G) may not apply. If you believe this is the case, your evaluation must still address the specific element by explaining why you do not believe the element applies.**

## **Ö**

The Division will check the application to determine if the above items have been included or addressed. If they have not been addressed at all, the application will be considered deficient and will be determined incomplete. **NOTE:** The Division, prior to public notice, is checking only for content. An actual evaluation as to whether the Division agrees or disagrees with the information provided takes place after the public notice.